

12-27-99

PATENT

ney Docket No.: AVIGEN-04082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Box Patent Application**

Assistant Commissioner For Patents  
Washington, D.C. 20231

**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of Linda B. Couto, Peter C. Colosi and Xiaobing Qian for **ADENO-ASSOCIATED VECTORS FOR EXPRESSION OF FACTOR VIII BY TARGET CELLS**.

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service on this date **December 22, 1999** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL 079 496 941 US** addressed to: **Box Patent Application**, Assistant Commissioner For Patents, Washington, D.C. 20231.

*Marlene Garitano*

Marlene Garitano

**1. Type Of Application**

This new application is for a(n)

- ☒ Original (nonprovisional)  
☒ Continuation-In-Part (C-I-P).

**2. Benefit Of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)**

- ☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED**.

**3. Papers Enclosed That Are Required For Filing Date Under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application**

- 64 Pages of Specification  
6 Pages of Claims  
1 Page of Abstract  
15 Sheets of Informal Drawings

**4. Additional Papers Enclosed**

- ☒ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.  
☒ Certificate Re: Sequence Listing

**5. Declaration**

- ☒ Enclosed  
☒ Unexecuted.

**6. Inventorship Statement**

The inventorship for all the claims in this application is:

- ☒ the same

**7. Language**

- ☒ English

**8. Assignment**

- ☒ An assignment of the invention to **Avigen, Inc.** is attached.  
☒ Unexecuted.  
☒ Form PTO-1595 will follow.

*Box Square*

jc525 U.S. PTO  
09/470618  
12/22/99

## 9. Fee Calculation (37 C.F.R. § 1.16)

☒ Regular application

## CLAIMS AS FILED

Number Filed	Number Extra	Rate	Basic Fee - \$760.00 (37 C.F.R. § 1.16(a))
Total Claims (37 C.F.R. § 1.16(c))	40 - 20 =	20 × \$18.00 =	\$360.00
Independent Claims (37 C.F.R. § 1.16(b))	4 - 3 =	1 × \$78.00 =	\$78.00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))	+ \$260.00 =		\$0.00
Filing Fee Calculation			\$1198.00

## 10. Small Entity Statement(s)

☒ Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27 is(are) attached.☒ Unexecuted.

Filing Fee Calculation (50% of above) \$599.00

## 11. Fee Payment Being Made At This Time

☒ Enclosed☒ basic filing fee

\$599.00

Total Fees Enclosed \$599.00

## 12. Method of Payment of Fees

☒ Check in the amount of \$599.00

## 13. Authorization To Charge Additional Fees and Credit Overpayment

☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

## 14. Power of Attorney by Assignee

☒ Enclosed☒ Unexecuted.

## 15. Return Receipt Postcard

☒ Enclosed

Dated: December 22, 1999



Kamrin T. MacKnight  
Registration No.: 38,230

MEDLEN & CARROLL, LLP  
220 Montgomery Street, Suite 2200  
San Francisco, California 94104  
(415) 705-8410

☒ Incorporation By Reference Of Added Pages☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s)

Claimed

Number of pages added 1

ADDED PAGES FOR APPLICATION TRANSMITTAL  
WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

16. Relate Back

A. 35 U.S.C. § 119(e)

B. 35 U.S.C. §§ 120, 121 and 365(c)

- ☒ Amend the Specification by inserting before the first line the sentence: "This application is a Continuation-in-Part of U.S. Patent Application Ser. No. 09/364,862, filed July 30, 1999, which claims benefit of U.S. provisional application Nos. 60/125,974 filed March 24, 1999 and 60/104,994 filed October 20, 1998, all of which are hereby incorporated by reference in their entireties."

jc525 U.S. PTO  
09/470618



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Linda B. Couto *et al.*

Serial No.:

Group No.:

Filed:

12/22/99

Examiner:

Entitled:

**ADENO-ASSOCIATED VECTORS FOR  
EXPRESSION OF FACTOR VIII BY TARGET CELLS**

**CERTIFICATE RE: SEQUENCE LISTING**

Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL 079 496 941 US**, addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: December 22, 1999

By:

Marlene Garitano

Sir or Madam:

I hereby state that the enclosed Sequence Listing is being submitted in paper copy and on a computer-readable diskette, and that the content of the paper and computer readable copies are the same.

Dated: December 22, 1999

By:

Kamrin T. MacKnight  
Registration No. 38,230

MEDLEN & CARROLL, LLP  
220 Montgomery Street, Suite 2200  
San Francisco, California 94104  
415.705.8410